THE HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
THE HONOURABLE SRI JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION No.6854 OF 2007

Dated:19.04.2007

Between:

Yanamala Lakshmamma

…Petitioner

And:

The Station House Officer, Sangam
Police Station, Nellore District
and two others.

…Respondents

THE HONOURABLE SRI JUSTICE D.S.R.VARMA
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ORAL ORDER: **(per THE HON'BLE SRI JUSTICE D.S.R.VARMA)**

Heard the learned Assistant Government Pleader, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is taken up on the basis of a fax message, dated 30.03.2007, sent by one Yanamala Lakshmamma, resident of Padarupalli Village, Nellore, to the Hon'ble the Chief Justice, High Court of Andhra

Pradesh, alleging, *inter alia,* that her husband by name Yanamala Sundararami Reddy @ Sundararamaiah was illegally detained on the night of 28.03.2007 and was kept in Butchireddypalem Circle Office.

3. In response to the notice, issued by this Court, the Sub-Inspector of Police, Sangam Police Station, Nellore District, filed counter-affidavit stating, *inter alia,* that one Kota Suryanarayana, Manager, Truewell Pipe Industries, PVC Pipes Manufactures, Allipuram, Nellore District, lodged a complaint against the alleged detenu in Sangam Police Station, basing on which, on the very same day, a case in Crime No.38 of 2007 was registered against the alleged detenu for the offences punishable under Sections 406 and 420 of the Indian Penal Code and investigation was taken up. Therefore, there was no occasion for the Police to illegally detain the husband of the petitioner in Butchireddypalem Circle Office on 28.03.2007 and the allegation in the said fax message that the alleged detenu was detained on 28.03.2007 is baseless.

4. It is further stated that the alleged detenu was produced before the Executive Magistrate (Tahsildar), where he stated that he was never illegally detained either by Police personnel of Sangam Police Station or by Butchireddypalem Police Station. The said statement was reduced into writing and the same has been made part of the record.

5. From the above facts, it is to be seen that the alleged detenu was never detained by the Police and that he has been moving freely. Hence, we do not find any

truth in the allegations levelled in the said fax message and, accordingly, no intervention is warranted by this Court in the present case.

6. For the foregoing, the writ petition is liable to be closed.

7. In the result, the writ petition is closed, at the stage of admission. However, there shall be no order as to costs.

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D.S.R.VARMA, J

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D.APPA RAO, J

19.04.2007
dr/krk